

REMARKS

I. INTRODUCTION

Claims 23-29 are presently pending in this application and currently stand rejected. Applicants respectfully request further examination and reconsideration of the application in light of the arguments to appear hereinafter.

II. AMENDMENTS TO THE SPECIFICATION

The Specification has been amended in compliance with the Examiner's request set forth in the above-identified Office Action. Applicants have amended the Specification to reflect that the parent application upon which the instant application is based, has issued as a patent. Accordingly, Applicants respectfully submit that no new matter that is material to patentability has been added.

III. REJECTION OF CLAIMS 23-29 UNDER THE DOCTRINE OF OBVIOUS-TYPE DOUBLE PATENTING

Claims 23-29 stand rejected under the judicially created doctrine of obvious-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6,676,473 (the "473 Patent"). The Office states that while the conflicting claims are not identical, "they are not patentably distinct from each other because it would have been obvious to delete elements in the claims of the patent not recited in the claims herein, in order to facilitate construction of a less complex and more economical device."

Applicants respectfully submit that in light of the terminal disclaimer being filed contemporaneously with this Response, a copy of which is attached hereto as Exhibit A, this rejection has been overcome.

Atty. Docket No. 69,010-335
Serial No. 10/696,530

IV. CONCLUSION

If the Office has any further questions regarding this matter, please contact Applicant's undersigned attorney.

Respectfully submitted,



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Dated: September 7, 2004

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